

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, May 2, 2000, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**CHARLES V. SMITH**  
CHAIRMAN  
First District

**JAMES W. SILVA**  
VICE CHAIRMAN  
Second District

**TODD SPITZER**  
SUPERVISOR  
Third District

**CYNTHIA P. COAD**  
SUPERVISOR  
Fourth District

**THOMAS W. WILSON**  
SUPERVISOR  
Fifth District

ATTENDANCE: All present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Janice M. Mittermeier
	COUNTY COUNSEL	Laurence M. Watson
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Coad, Fourth District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Chairman Smith presented a resolution recognizing the month of May as "Hire a Veteran Month"

**DELETED**

Chairman Smith presented a resolution recognizing "50th Anniversary of the Korean War"

Chairman Smith presented a resolution recognizing May 7-13, 2000 as "Juror Appreciation Week"

Supervisor Coad presented a resolution recognizing May, 2000 as "National Mental Health Month"

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## II. CONSENT CALENDAR (Items 1-38)

53241 APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 13 AND 33 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE AND ITEMS 35, 36, 37 AND 38 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA

## BOARD APPOINTMENTS

1. **Supervisor Spitzer** - Overall Economic Development Program Committee - Reappoint Jack Mixner, Fullerton, for term ending 3/31/01

## COMMENDATIONS/PROCLAMATIONS

### **Chairman Smith:**

2. Adopt resolution proclaiming May 8 - 14, 2000 as "Volunteers in Parole Week "  
*RESO: 00-139*
3. Adopt resolution proclaiming May, 2000 as "Asian & Pacific Islander American Heritage Month"  
*RESO: 00-140*
4. Adopt resolution recognizing 37th Annual Celebration of "National Small Business Week"  
*RESO: 00-141*
5. Adopt resolution proclaiming May 13, 2000 as "Fire Service Recognition Day"  
*RESO: 00-142*
6. Adopt resolution proclaiming May 9, 2000 as "Law Day U.S.A."  
*RESO: 00-143*
7. Adopt resolution proclaiming May 4, 2000 as "National Day of Prayer"  
*RESO: 00-144*
8. **Supervisor Coad** - Adopt resolution recognizing and commending Al Blevans on his long and outstanding career with the County  
*RESO: 00-145*

## COMMUNITY SERVICES AGENCY

9. Approve amended price agreement N1000001818 with Data Systems International, Inc. for automated case management system to enhance services to Job Training Partnership Act participants, extending term to 12/30/00 - All Districts

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## **HEALTH CARE AGENCY**

10. Approve price agreement N1000002491 with Radiological Specialists, Inc. for maintenance of mini chest X-ray screening system, 5/1/00 - 4/30/01 (\$38,400); renewable for two additional years - All Districts
11. Authorize acceptance of grant from Pacific Life Foundation for tobacco use prevention project, 12/29/99 - 12/29/02 (\$300,000) - All Districts

## **HOUSING AND COMMUNITY DEVELOPMENT**

12. Approve amendment 2 to agreement KC97021 with Silverado-Modjeska Recreation and Parks District for expansion of Silverado Community Center, extending term to 6/30/00 (\$9,000); and make California Environmental Quality Act and National Environmental Policy Act findings - District 3

## **INTEGRATED WASTE MANAGEMENT DEPARTMENT**

13. Approve amendment 3 to agreement with Taormina Industries, Inc. for disposal of non-County waste, Olinda Alpha Landfill; and make California Environmental Quality Act findings - District 3

32451 **APPROVED AS RECOMMENDED**

## **ORANGE COUNTY PUBLIC LIBRARY**

14. Approve price agreement N1000002688 with Orange County Welding for welding repairs and sheet metal fabrication, 5/2/00 - 2/16/01 (\$20,000); renewable for two additional years - All Districts

## **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

15. Approve purchase and installation of lake aerator system from SFM Constructors, Inc. for Laguna Niguel Regional Park (\$69,500); and approve related budget adjustments - District 5
16. Receive and file Traffic Committee Reports dated 3/16/00; approve recommendations and adopt necessary resolution - Districts 4 & 5  
*RESO: 00-146*
17. Approve plans and specifications and set bid opening for 6/7/00, 2:00 p.m., for traffic signal installation at intersection of Alicia Parkway and Morning Ridge, Aliso Viejo area; and make California Environmental Quality Act findings - District 5
18. Authorize release of bonds for in-tract sewer and water systems and monumentation, Tract 12955, Coto de Caza Ltd. and Coto Country Homes, Coto de Caza area - District 5
19. Authorize release of cash security for monumentation, Tract 15646, Brookfield Homes Southland, Inc., Newport Coast area (\$1,000) - District 5
20. Adopt resolution approving agreement with California Department of Boating and Waterways for aquatic educational and safety programs grant funds, Dana Point Youth and Group Facility - District 5  
*RESO: 00-147*

# **S U M M A R Y   A C T I O N   M I N U T E S**

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21. Approve continuance of emergency repairs and closure of Modjeska Grade Road; receive and file status report; and agendaize matter on 05/16/00, 9:30 a.m., for further consideration - District 3 (Continued from 02/08/00, Item S50B; 2/15/00, Item 21; 3/7/00, Item 47; 3/21/00, Item 26; 4/4/00, Item 18; 4/18/00, Item 23) (4/5 vote)

## **SOCIAL SERVICES AGENCY**

22. Approve memorandum of agreement with Sacramento County Department of Human Assistance for participation in North State/Orange Cash Assistance Program for Immigrants consortium serving legal immigrants- All Districts
23. Approve price agreement N1000002529 with State Department of Justice for fingerprint record check services, 11/1/99 - 10/31/00 (\$54,792); renewable for two additional years - All Districts
24. Approve purchase of two live scan fingerprint systems (\$59,117) - All Districts
25. Approve memorandum of understanding with California Ventura Automated Collections System Association to participate in consortium of counties operating the system, FYs 1999/00 and 2000/01 (\$8,000 per year) - All Districts
26. Approve sublease agreements with MAXIMUS, Inc. for co-location and implementation of CalWORKS program, Anaheim and Stanton; and make California Environmental Quality Act findings - Districts 2 & 4
27. Approve amended Emergency Shelter Home agreement ESHR9902 with various foster parents to better monitor and utilize beds for hard to place children - All Districts

## **PUBLIC PROTECTION**

### **Sheriff-Coroner:**

28. Approve continuance of emergency at Theo Lacy Jail for replacement of leaking underground natural gas lines; receive and file status report; and agendaize matter on 5/16/00, 9:30 a.m., for further consideration - District 4 (Continued from 4/18/00, Item S55A) (4/5 vote)
29. Ratify oral agreement with City of Anaheim for 800 MHz expenses incurred for relocation of MetroNet dispatch center control stations, City Hall (\$15,073) - District 4
30. Receive bids and award contract to Warvi Construction, Inc. for dismantling and disposal of modular kitchen/dining building, James A. Musick Jail, Irvine (\$104,380) - District 5

## **GENERAL ADMINISTRATION**

### **Auditor-Controller:**

31. Adopt resolution authorizing Auditor-Controller to replace uncashed staledated county checks; and rescind Resolution 70-746 - All Districts

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*RESO: 00-148*

- 32 . Authorize relief of accountability to Carl C. Holmes, Public Defender, and reimbursement to Public Defender Office for cash loss of \$1,690 - All Districts

## **County Executive Office:**

- 33 . Approve agreement with City of Lake Forest for park design, development and funding, Concourse Park, Portola Hills area and approve concept funding plan for Foothill Ranch Community Room - District 3

35241 **APPROVED AS RECOMMENDED**

- 34 . Approve price agreement N1000002663 with Raymond Ari Designs for graphic design and copywriting services, 7/1/00 - 6/30/01 (\$150,000); renewable for two additional years - All Districts

- 35 . **Supervisor Coad** - Approve Community Social Program Grant funds to Orange County Conservation Corps; approve budget adjustments and make appropriate findings, 5/2/00 - 11/30/00 (\$5,000)

53241 **APPROVED AS RECOMMENDED**  
N

## **Supervisor Wilson:**

- 36 . Approve Community Social Program Grant funds to Capistrano Unified School District Foundation; approve budget adjustments and make appropriate findings, 5/2/00 - 10/31/00 (\$5,000)

53241 **APPROVED AS RECOMMENDED**  
N

- 37 . Approve Community Social Program Grant funds to The Sand Dollar Guild; approve budget adjustments and make appropriate findings, 5/2/00 - 10/31/00 (\$5,000)

53241 **APPROVED AS RECOMMENDED**  
N

- 38 . Approve Community Social Program Grant funds to Human Options; approve budget adjustments and make appropriate findings, 5/2/00 - 10/31/00 (\$10,000)

53241 **APPROVED AS RECOMMENDED**  
N

**END OF CONSENT CALENDAR**

## **III. DISCUSSION ITEMS (Items 39-52)**

### **HEALTH CARE AGENCY**

- 39 . Approve master agreement with various hospitals for California Healthcare for Indigents Program, 7/1/99 - 6/30/00 - All Districts

42351 **APPROVED AS RECOMMENDED**

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- 40 .      Approve new and amended price agreements with various providers for information technology professional services through 7/31/00 (\$520,000; new total \$970,000); renewable for two additional years - All Districts

52341    **APPROVED AS RECOMMENDED**

## **INTEGRATED WASTE MANAGEMENT DEPARTMENT**

- 41 .      Approve second amended and restated agreement with IT Corporation for on-call multi-disciplined engineering support services activities, Frank R. Bowerman Landfill and closed landfill sites (\$800,000; new total \$1,735,500) Districts 3 & 5

35241    **APPROVED AS RECOMMENDED**

## **JOHN WAYNE AIRPORT**

- 42 .      Select three primary and one alternate architectural-engineering firms from ranked list for project management services; and authorize negotiation of agreements for Board approval - District 5  
(Continued from 4/25/00, Item 40)

52341    **APPROVED AS RECOMMENDED; SELECTED JHTM & ASSOCIATES, JEFF OVIEDO & ASSOCIATES, BUTIER CONSTRUCTION MANAGERS AS PRIMARY AND NORRIS-REPKE, INC. AS ALTERNATE**

## **SOCIAL SERVICES AGENCY**

- 43 .      Approve amended price agreement N2000001765 with Intratek Computers, Inc. for professional software services and hardware maintenance, 4/1/00 - 3/31/01 (\$585,627; new total \$1,587,900); renewable for one additional year - All Districts

24351    **APPROVED AS RECOMMENDED**

- 44 .      Approve amended Individual Provider Program with Supportive and Therapeutic Options Program for increased child abuse prevention and intervention services by licensed private-sector professionals (\$400,000; new total \$1,322,295) - All Districts

54231    **APPROVED AS RECOMMENDED**

## **PUBLIC PROTECTION**

- 45 .      **Public Defender** - Approve 5 year lease agreement with Civic Center, L.L.C. for office space, Santa Ana; and make California Environmental Quality Act findings - District 1

13245    **APPROVED AS RECOMMENDED**

- 46 .      **Sheriff-Coroner** - Adopt resolution to publish Notice of Intent to purchase real property for Theo Lacy parking, Orange; and set public hearing for 6/6/00, 9:30 a.m. - District 4

42351    **APPROVED AS RECOMMENDED**

*RESO: 00-149*



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## GENERAL ADMINISTRATION

47.      **Assessor Department** - Approve purchase of imaging system with Wave Imaging Corporation for document storage and retrieval system (\$894,000); and approve related budget adjustments - All Districts (4/5 vote)

32451    **APPROVED AS RECOMMENDED**

### **County Executive Office:**

48.      Consider continued first reading of "An Ordinance of County of Orange to Amend Ordinance No. 99-16 Relating to the Orange County Children and Families Commission and Trust Fund"; and set second reading and adoption for 5/09/00, 9:30 a.m. - All Districts (Continued from 4/18/00, Item 52)

13245    **APPROVED AS RECOMMENDED**

49.      Overall Economic Development Program Committee - Approve Comprehensive Economic Development Strategy for 2000 and submission to the Economic Development Administration; adopt resolution approving committee name change to Comprehensive Economic Development Strategy Committee and revising the bylaws to reflect name change - All Districts

54231    **APPROVED AS RECOMMENDED**  
Reso 00-150

50.      Approve FY 1999-2000 Third Quarter Budget Report; approve related budget adjustments and amend master position control - All Districts (4/5 vote)

32451    **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF**  
**RECOMMENDATION ACTION 7, WHICH WAS CONTINUED TO MAY 16,**  
**2000, 9:30 A.M.**

51.      Approve preparation of documents to defease Taxable Pension Obligation Bonds, Series 1994A and Taxable Refunding Pension Obligation Bonds Series 1996A and 1997A using funds available in the Debt Prepayment Fund and Tobacco Settlement Revenues; select a financing team; approve agreement 00-005SC with Orrick, Herrington & Sutcliffe, LLP for legal services; direct staff to conduct a Request for Proposal process for a verification agent and authorize CEO to negotiate an agreement with the lowest responsive bidder; and direct CEO to return to the Board with substantially final escrow documents, any other necessary documents and for approval of appropriation actions as required - All Districts

23451    **APPROVED AS RECOMMENDED**

52.      **Supervisor Spitzer** - Receive update from Risk Manager on John Wayne Airport Taxi Cab Service contract/insurance agreements

B.O.    **HELD**

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## IV. PUBLIC HEARINGS (Item 53)

### PLANNING AND DEVELOPMENT SERVICES

53. Public Hearing to consider adopting resolution denying appeal filed by City of Fountain Valley and upholding the Planning Commission's approval of Planning Application PA99-0130 filed by Douglas Godbe for conversion of 13-unit apartment building to a maximum 50-bed work furlough facility - District 1

B.O. **CLOSED PUBLIC HEARING**

12345 **APPROVED APPEAL FILED BY FOUNTAIN VALLEY AND DENIED PLANNING**  
N **COMMISSION APPROVAL OF PA 99-0130**

## V. CLOSED SESSION (Items CS-1-SCS3)

### GENERAL ADMINISTRATION

- CS-1. **County Executive Office** - CONFERENCE WITH LABOR NEGOTIATOR - County Executive Office requests a closed session pursuant to Government Code Section 54957.6 with labor negotiator, Susan Paul, to discuss terms and conditions for certain represented employees, Orange County Attorneys Association - All Districts

B.O. **HELD; NO REPORTABLE ACTION**

### PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- SCS2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR: The Director, Public Facilities and Resources Department (PR&RD) requests a closed session for the Board of Supervisors to confer with Real Property Negotiators, CEO/Real Estate staff and PFRD staff regarding the price and terms of payment of the proposed leasing or other contracting of Parcels 1-10, 20,33 and 23 located in Dana Point Harbor, California, pursuant to Government Code Section 54956.8

B.O. **HELD; NO REPORTABLE ACTION**

### GENERAL ADMINISTRATION

- SCS3. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL -- PENDING LITIGATION: County Counsel requests a closed session to brief the Board of Supervisors on the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: Ware Disposal Co., Inc. vs. USA Waste of California, Inc. etc., et al., Orange County Superior Court Case No. 00CC01112 - All Districts

B.O. **HELD; THE CHAIRMAN ANNOUNCED: BY A UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED SETTLEMENT OF THE CASE OF WARE DISPOSAL CO., INC. vs USA WASTE OF CALIFORNIA, INC., ETC., ET AL. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHER PARTIES AND THE ORANGE COUNTY SUPERIOR COURT. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, THE SUBSTANCE OF THE AGREEMENT WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES.**

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## VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

### PUBLIC COMMENTS:

Charles Griffin - Oral RE: El Toro Options, alternative runway configuration and air transportation needs

### BOARD COMMENTS:

Supervisor Spitzer - Oral RE: Letter from CEO to John Moorlach to open a third Investment Pool prior to Board of Supervisors directive

### ADJOURNED: 1:43 P.M.

#### \*\*\* KEY \*\*\*

#### *Left Margin Notes*

1. v Chairman Smith
2. v Supervisor Silva
3. v Supervisor Spitzer
4. v Supervisor Coad
5. v Supervisor Wilson

- A. v Abstained  
X. v Excused  
N. v No  
BOv Board Order

#### *Right Margin Notes*

- O. v Ordinance  
R. v Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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*CHARLES V. SMITH, CHAIRMAN  
Orange County Board of Supervisors*

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*DARLENE J. BLOOM  
Orange County Clerk of the Board*